

## Update on Prehospital Drugs Rulemaking, April 26, 2006

The Prehospital Drugs Rulemaking Task Force met on January 10, January 31, February 21, and March 14, 2006, and considered four different versions of the draft rules for Control, Use, and Availability of Drugs in the Prehospital EMS Setting ("the Prehospital Drugs Rulemaking"). Through those meetings, ADHS and the Task Force were able to reach consensus on the contents of the Prehospital Drugs Rulemaking, with the exception of the requirement to maintain each agent within a stable temperature range that ensures the integrity of the agent, as provided by the official compendium, as defined in A.R.S. § 32-1901, or the manufacturer's or distributor's labeling (the temperature control provision).

After revising the draft rules as discussed in the March 14th Task Force meeting, ADHS presented Revision 4 of the draft rules for consideration at the Medical Direction Commission (MDC) and Emergency Medical Services Council (EMS Council) meetings on April 21. At those meetings, MDC and EMS Council both recommended that ADHS go forward with all of the included rulemaking provisions other than the temperature control provision. (MDC and EMS Council also recommended a change to the temperature control provision that ADHS cannot make because to do so would result in an unlawful delegation of authority from ADHS to MDC.)

As a result of the recommendations from MDC and EMS Council, ADHS has eliminated the temperature control provision from the draft rules. Because of this, ADHS no longer sees a need to have the Prehospital Drugs Rulemaking completed separately from the other rulemakings considered by EMS Council on April 21. ADHS is now in the process of creating a combined Notice of Proposed Rulemaking to include the regular rulemaking portion of the Prehospital Drugs Rulemaking and the other rule changes recommended by EMS Council at its meeting on April 21. ADHS intends to file the Notice of Proposed Rulemaking with the Office of the Secretary of State by June 30.

ADHS also is now drafting an economic impact statement to accompany the combined rulemaking. Once a draft economic impact statement is completed, ADHS intends to solicit comments on the draft economic impact statement through e-mail and an announcement on the BEMS What's New page, which is available at <http://www.azdhs.gov/bems/new.htm>. The draft economic impact statement will be made available on the ADHS website at [http://www.azdhs.gov/diro/admin\\_rules/prehospdrugs.htm](http://www.azdhs.gov/diro/admin_rules/prehospdrugs.htm). ADHS hopes to make the draft economic impact statement available for comment from May 15 to June 15.

If you have any questions or comments about the combined rulemaking, please contact Sarah Harpring at [harpris@azdhs.gov](mailto:harpris@azdhs.gov) or (602) 542-1513.